

## PART 220—RAILROAD COMMUNICATIONS

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AUTHORITY: 49 U.S.C. 20102–20103, 20107, 21301–21302, 21304, 21311; 28 U.S.C. 2461, note; and 49 CFR 1.49.

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### Subpart A—General

#### § 220.1 Scope.

This part prescribes minimum requirements governing the use of wire-

less communications in connection with railroad operations. So long as these minimum requirements are met, railroads may adopt additional or more stringent requirements.

#### § 220.2 Preemptive effect.

Under 49 U.S.C. 20106 (formerly section 205 of the Federal Railroad Safety Act of 1970, 45 U.S.C. 434), issuance of the regulations in this part preempts any State law, rule, regulation, order, or standard covering the same subject matter, except a provision necessary to eliminate or reduce an essentially local safety hazard that is not incompatible with this part and that does not unreasonably burden interstate commerce.

#### § 220.3 Application.

(a) Except as provided in paragraph (b) of this section, this part applies to railroads that operate trains or other rolling equipment on standard gage track which is part of the general railroad system of transportation.

(b) This part does not apply to:

(1) A railroad that operates only on track inside an installation which is not part of the general railroad system of transportation; or

(2) Rapid transit operations in an urban area that are not connected with the general railroad system of transportation.

#### § 220.5 Definitions.

As used in this part, the term:

*Adjacent tracks* means two or more tracks with track centers spaced less than 25 feet apart.

*Control center* means the locations on a railroad from which the railroad issues instructions governing railroad operations.

*Division headquarters* means the location designated by the railroad where a high-level operating manager (e.g., a superintendent, division manager, or equivalent), who has jurisdiction over a portion of the railroad, has an office.

*Employee* means an individual who is engaged or compensated by a railroad or by a contractor to a railroad, who is authorized by a railroad to use its wireless communications in connection with railroad operations.